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PTO/SB/31 (04-07)

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**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

010807/00014

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] July 16, 2007  
on \_\_\_\_\_

Signature

Typed or printed  
name R. Christopher RueppellIn re Application of  
Michael C. BurkeApplication Number  
09/267,176

Filed March 12, 1999

For Methods and Apparatus for a Utility Processing System

Art Unit  
3621Examiner  
Christina Sherr

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

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☒ A check in the amount of the fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. \_\_\_\_\_. I have enclosed a duplicate copy of this sheet.☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)☒ attorney or agent of record. 47,045  
Registration number \_\_\_\_\_☐ attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

Signature

R. Christopher Rueppell

Typed or printed name

410-347-8754

Telephone number

July 16, 2007

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ \*Total of 1 forms are submitted.

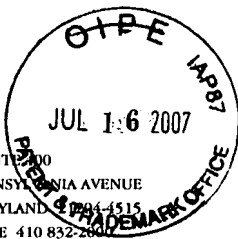
This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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07/17/2007 RFEKADU1 00000067 09267176

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July 16, 2007

VIA EXPRESS MAIL NO.: EU 763855169 US

In re Application of	: Michael C. Burke
By the Examiner	: Christina Sherr
Docket No.	: 010807/00014
Serial No.	: 09/267,176
Filed	: March 12, 1999
Group Art Unit	: 3621
Title	: METHODS AND APPARATUS FOR A UTILITY PROCESSING SYSTEM

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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### NOTICE OF APPEAL

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Honorable Commissioner:

Enclosed please find the following:

1. Applicant's Notice of Appeal.
2. Our check in the amount of \$500.00 to cover the Notice of Appeal fee.
3. Our post card. Please date stamp and return.

July 16, 2007

Page 2

Also, please charge any unanticipated fees, or credit any overpayment, to our Deposit Account No.: 50-1479 (a duplicate copy of this charge authorization is attached).

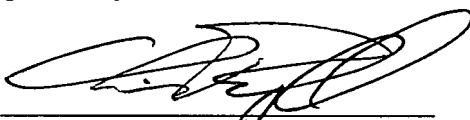
Please associate with and  
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DATE: July 16, 2007

Respectfully Submitted,

By: 

R. Christopher Rueppell  
Reg. No. 47,045  
Attorney for Applicant

ATTACHMENTS: 1. Notice of Appeal.  
2. Copy of this *Transmittal* for accounting purposes.  
3. Check in the amount of \$500.00 for the Notice of Appeal fee.  
4. Return Postcard.

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**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

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BY:   
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Date of Deposit: July 16, 2007

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Enclosures